



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 6, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-28192 - APPLICANT/OWNER: MRA, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 16, 2008 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN WOLFSON.

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Reclassification (Z-0013-86), and Special Use Permit (SUP-27870) shall be required.
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Night Club use, including parking requirements.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Night Club in conjunction with a proposed Supper Club (SUP-27870) at 8991 W. Sahara Avenue. The owner is proposing a restaurant, bar, lounge, and ballroom facility in which a menu of Filipino food, beer and wine will be offered. This proposed Night Club in conjunction with a proposed Supper Club has 4,344 square feet with seating for 120 in the dining area and seating for 14 in the lounge, for a total of 134. Seating in the designated restaurant area must accommodate seating for 125 persons in order to comply with Title 6.50.220 and Title 19.04.010. A condition has been added to address this concern. The facility is proposing to have a dining and dance floor area of approximately 314 square feet. The proposed location is part of a larger commercial subdivision (The Lakes Business Center), which adequately supplies the amount of parking required for this site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/15/84	The City Council approved a Reclassification of Property (Z-0054-84), generally bounded by Sahara Avenue on the north, Durango drive on the east, Desert Inn Road on the south, and Fort Apache Way on the west, From: N-U (Non-Urban), To: R-1 (Single Family Residence), R-PD3 (Residential Planned Development), R-PD4 (Residential Planned Development), R-PD7 (Residential Planned Development), R-PD12 (Residential Planned Development), R-PD23 (Residential Planned Development), P-R (Professional Offices & Parking), C-1 (Limited Commercial), and C-V (Civic).
03/19/86	The City Council approved a Reclassification of Property (Z-0013-86) generally located in an area bounded by Desert Inn Road, Durango Drive, Sahara Avenue, and Fort Apache Road from: N-U (Non-Urban) to: R-CL (Single family Compact Lot), R-PD12 (Residential Planned Development), R-PD18 (Residential Planned Development), C-1 (Limited Commercial). The Planning Commission and staff both recommended approval.
11/10/94	The Planning Commission approved (final action) a Plot Plan and Building Elevation Review [Z-0013-86(5)] for a proposed medical office on property located north of Sahara Avenue, west of Crystal Water Way. Staff recommended approval.
04/13/95	The Planning Commission approved (final action) a Plot Plan and Building Elevation Review [Z-0013-86(6)] for a proposed medical building/office clinic on property located on the southwest corner of Sahara Avenue and Crystal Water Way. Staff recommended approval.

07/13/95	The Planning Commission approved (final action) a Plot Plan and Building Elevation Review [Z-0013-86(7)] for a proposed office building on property located on the south side of Sahara Avenue, west of Crystal Water Way. Staff recommended approval.
10/12/95	The Planning Commission approved (final action) a Plot Plan and Building Elevation Review [Z-0013-86(8)] for a proposed office building on property located at 8961 West Sahara Avenue. Staff recommended approval.
11/13/97	Staff administratively approved a request for an Administrative Site Development Plan Review [Z-0013-86(10)] on property located on the west side of Crystal Water Way, approximately 419 feet south of Sahara Avenue, for a proposed 3,945 square foot office building.
04/13/00	The Planning Commission approved (final action) a request for a Site Development Plan Review for a proposed 11,350 square foot addition to an existing Office Building and a 10,939 square foot New Office Building on 1.77 acres located south of Sahara Avenue, approximately 700-feet west of Crystal water Way. Staff recommended approval.
06/08/00	The Planning Commission approved (final action) a request for a Site Development Plan Review for two Medical Office Buildings on 3.05 acres on the south side of Sahara Avenue, approximately 2,000 feet east of Fort Apache Road. Staff recommended approval.
08/20/00	The City Council approved a Special Use Permit (U-0075-00) for a proposed Supper Club at 8991 West Sahara Avenue. The permit was not exercised, and was expired on 11/02/07.
06/12/08	The Planning Commission recommended approval of companion item SUP-27870 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #9/ng).
<i>Related Building Permits/Business Licenses</i>	
09/07/99	A building permit (#99017638) was issued for a shell building, certificate of completion at 8991 West Sahara Avenue for the Lakes Business Park, Building 1. The permit was finaled on 02/24/00.
11/08/99	A building permit (#99021494) was issued for a 30-foot by six-foot block wall and a 100-foot by three-foot retaining block wall. The permit expired on 06/09/00.
04/28/00	A building permit (#8021) was issued for a tenant improvement build-out at 8991 West Sahara Avenue. The permit was finaled on 08/08/00.
06/06/00	A building permit (#10909) was issued for a 228 square foot sign (tag #004578) at 8991 West Sahara Avenue. The permit was finaled on 07/31/00.
06/08/01	A building permit (#1010424) was issued for a wall sign at 8991 West Sahara Avenue. The permit was finaled on 10/19/01.
08/31/01	A building permit (#1015787) was issued for a non-work, certificate of occupancy at 8991 West Sahara Avenue. The permit was finaled on 09/05/01.
02/06/03	A building permit (#3002462) was issued for a sign (tag #06650) at 8991 West Sahara Avenue. The permit was finaled on 03/10/03.

02/22/05	A building permit (#5001001) was issued for a tenant improvement build-out at 8991 West Sahara Avenue. The permit was finaled on 05/19/05.
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04/18/05	A building permit (#5002423) was issued for a sign (tag #08236) at 8991 West Sahara Avenue. The permit expired on 11/26/05.
06/15/05	A business license (#M18-02418-E-104198) was issued to allow a consulting and marketing company at 8991 West Sahara Avenue. This business license was marked out of business on 08/07/07.
07/19/05	A business license (#A02-01889-D-096936) was issued to allow an advertising agency at 8991 West Sahara Avenue. This business license was marked out of business on 04/11/08.
<i>Pre-Application Meeting</i>	
05/15/08	The applicant was informed of the need to add an additional Special Use Permit (SUP) application for the Night Club use to the existing Special Use Permit (SUP-27870) application already submitted for a Supper Club to satisfy the dancing element of her proposed establishment. Submittal requirements were also discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required and none was held.	
<i>Field Check</i>	
05/01/08	Planning and Development staff performed a site inspection. A non-permitted temporary sign (banner) was noted on-site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Existing Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Residential (Single Family Homes & Apartments)	L (Low) Density Residential & M (Medium) Density Residential	R-PD4 (Residential Planned Development – 4 Units Per Acre) & R-PD18 (Residential Planned Development – 18 Units Per Acre)
South	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Bank / Restaurants / Shops	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Supper Club **(Night Club)	2,956 s.f.	One space for each 50 square feet of public seating and waiting area, including outdoor areas for seating and waiting; plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.	57	3	*974	*23	Y
	1,388 s.f.		7				
Office	187,431 square feet		1:300				
SubTotal			676	16	*974	*23	
TOTAL (including handicap)			692		*997		

**Existing parking is per Z-0013-86, approved by City Council on 03/19/86.*

***Night Club use is incidental to Supper Club use.*

ANALYSIS

This request is for a Special Use Permit for a proposed Night Club in conjunction with a proposed Supper Club (SUP-27870) at 8991 W. Sahara Avenue. The owner is proposing a restaurant, bar, lounge, and ballroom facility in which a menu of Filipino food, beer and wine will be offered. This proposed Night Club in conjunction with a proposed Supper Club has 4,344 square feet with seating for 120 in the dining area and seating for 14 in the lounge, for a total of 134. Seating in the designated restaurant area must accommodate seating for 125 persons in order to comply with Title 6.50.220 and Title 19.04.010. A condition has been added to address this concern. The facility is proposing to have a dining and dance floor area of approximately 314 square-feet. The facility will also offer an elevated dining area and a lounge and bar area. The proposed location is part of a larger commercial subdivision (The Lakes Business Center), which adequately supplies the amount of parking required for this site and has a shared parking agreement for the subdivision.

- **Zoning**

The subject site is currently designated SC (Service Commercial), which is within the southwest sector of the Las Vegas Master Plan 2020. The site's C-1 (Limited Commercial) zoning designation is in conformance with the Las Vegas Master Plan 2020, and the Night Club use is permitted in that designation with the approval of a Special Use Permit.

The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This proposed site is located on the periphery of residential neighborhoods and is confined to the intersections of primary and secondary thoroughfares along major retail corridors.

- **Use**

A Night Club is defined by Title 19 as an establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

- **Conditions**

Title 19.04.010 lists no conditions for the Night Club use.

FINDINGS (SUP)

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Supper Club and Night Club would be located within a commercial subdivision that includes a variety of uses: restaurants, retail sales, medical and professional offices, personal services, and banking. The addition of a Supper Club and Night Club within this commercial subdivision is compatible with the existing and future land uses as specified by the SC (Service Commercial) General Plan designation. Therefore, staff recommends approval.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed site is within a commercial subdivision that was designed to accommodate a variety of uses, including a Night Club use in conjunction with a Supper Club use, and conforms to both the General Plan and the Title 19 land use designations of the site with the approval of a Special Use Permit (SUP).

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The proposed Night Club, in conjunction with a proposed Supper Club, is located within a large, commercial subdivision that is adequately served by Sahara Avenue, a 100-foot Primary Arterial as defined by the Master Plan Streets and Highways.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed site is located within the Southwest Sector of the Las Vegas 2020 Master Plan and is designated SC (Service Commercial). The site is in the C-1 (Limited Commercial) zoning district, which is in conformance with the SC (Service Commercial) General Plan designation. The Supper Club and Night Club use is permitted in that district with the approval of a Special Use Permit and will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Night Club use meets all of the requirements specified by Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

2

SENATE DISTRICT

8

NOTICES MAILED

1153 by City Clerk

APPROVALS

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PROTESTS

9